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**From:** Carlin, Jayne  
**To:** Sweeney, Stephen  
**CC:** Allison Castellan  
**Sent:** 9/9/2014 11:46:16 AM  
**Subject:** Latest Draft of Response to Comments  
**Attachments:** Response to Comments DRAFT 081914.doc

Hi Steve,

Attached is the most current draft. I cc'ed Allison, just in case I am incorrect and she has an updated draft.

Jayne

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[www.epa.gov/r10earth/tmdl.htm](http://www.epa.gov/r10earth/tmdl.htm)  
[yosemite.epa.gov/R10/ecocomm.nsf/Watershed+Collaboration/State+Tribal+NPS](http://yosemite.epa.gov/R10/ecocomm.nsf/Watershed+Collaboration/State+Tribal+NPS)

**From:** Allison Castellan - NOAA Federal [mailto:allison.castellan@noaa.gov]  
**Sent:** Tuesday, August 26, 2014 11:39 AM  
**To:** Carlin, Jayne  
**Cc:** Waye, Don; Henning, Alan; Wu, Jennifer; Melissa Rada - NOAA Affiliate  
**Subject:** Latest Draft of Response to Comments

All--

As we discussed on the call, see attached for latest version of response to comments. This draft reflects comments from Jayne on all general comments and from Don on part of the general comments.

The Table of Contents notes what comments have responses drafted and which do not. If highlighted in yellow, I've developed a response. Last week I had some time and started looking at the forestry section. After setting the comments aside for awhile, I saw some ways we could streamline some of those comments a bit more to combine similar concepts under the same heading and avoid some repetition among comments. Therefore, you'll see these summary comments are slightly different than the version I sent around before. I developed a partial response to Forestry Comment A but have some placeholders to go back and flesh things out further. I plan to work on that a bit more today.

Since the tech teams' expertise is likely best spent doing the research to bolster our rationales, I'm happy to continue to work my way through responses to other comments as well, or at least framing up a potential structure for the response and leaving some gaps for the tech teams to fill in. Whatever folks find most useful to help keep this moving forward.

Allison

On Mon, Aug 25, 2014 at 9:13 PM, Carlin, Jayne <Carlin.Jayne@epa.gov> wrote:

**OR CZARA Meeting**

**Non-Responsive**

for Dave's Office

**Agenda**

Updates & Status

Follow up from August 20 Managers' Call, Action Items Review & Change in Direction

Forestry/Riparian Rationale (see 8/23 email from Alan)

Forestry/landslides Rationale and update—questions answered and information needed in order to elevate (Alan)

OSDS rationale/setting precedent revisited (Don)

Review of revised agendas for managers meetings (see below)

***Draft Agenda for September 4<sup>th</sup> meeting (90 minutes)***

- Introductions/Agenda Review/Action Items from Aug 20<sup>th</sup> meeting (Jayne)
- Forestry/Riparian Rationale (Alan)
- Forestry/landslides Rationale and update—questions answered and information needed in order to elevate (Alan)
- OSDS rationale/setting precedent revisited (Don)
- Next Steps

***Draft Agenda for September 10<sup>th</sup> meeting (60 minutes)***

- Forestry/roads issue (Alan)
  - Handling Forestry/Pesticides and Ag and next steps
- Issue elevation —what do the managers need from staff and attorneys
- Schedule and next steps

Action Items/Next Steps

***Action Items***

- The Forestry/Pesticides team will look into notification requirements in neighboring states; what makes Oregon unique or different; the scientific basis or record to support why FIFRA label compliance would not be considered sufficient to provide adequate protection of type N non-fish bearing streams from aerial

application of herbicides; whether Oregon Toxics standard is relevant to addressing this condition; and the exact wording of this condition from the 1988 findings, focusing on whether it directly references buffers (*it does*).

- All will review the Ag MM paper to better prepare for the Sept 4<sup>th</sup> call.
- JB will find out the date by which the legal team expects to complete the review of the rationales for interim approval for OSDS and New Development MMs and provide comments to Don Waye.
- The managerial team will complete the reviews the rationales for interim approval for New Development MMs and OSDS and provide comments to Don Waye by August 29.

## Ex. 5 - Attorney Client

- Forestry/landslides team will provide the following information to the managerial team in the form of talking points: comparison to how Washington addresses high risk landslides' potential impact to water quality in forested areas; EPA/NOAA expectations and suggestions on how Oregon can address this additional MM; whether we have the data to identify landslide prone areas and nearby receiving waters. *Will be discussed on Sept 4<sup>th</sup> call.*
- Allison will provide Jayne with dates and times that the NOAA team are available during late September through October. **Done**

### Upcoming September Meetings

Sept 2	10/1	OR CZARA
Sept 4	9/12	OR CZARA Mgrs
Sept 9	10/1	OR CZARA
Sept 10	12/3	OR CZARA Mgrs
Sept 16	10/1	OR CZARA
Sept 18	12/3	OR CZARA Mgrs
Sept 22	10/1	OR CZARA Mgrs
Sept 23	10/1	OR CZARA
Sept 29	10:30/1:30	OR CZARA Mgrs
Sept 30	10/1	OR CZARA

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